

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA,

v.

GEORGE AREF NADER,

Defendant.

FILED

2019 OCT -7 P 3:59

CLERK'S DISTRICT COURT
ALEXANDRIA, VIRGINIA

Case No. 1:19-CR-201

FILED UNDER SEAL

**DECLARATION OF TIMOTHY H. MCCARTEN IN SUPPORT OF DEFENDANT'S
MOTION TO DISMISS COUNT THREE OF THE INDICTMENT**

I, Timothy H. McCarten, declare as follows:

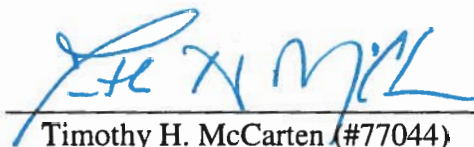
1. I am an attorney with the law firm of Latham & Watkins LLP, counsel of record for Defendant George Aref Nader in this case. I am admitted to practice law in the Commonwealth of Virginia and am a member in good standing of the United States District Court for the Eastern District of Virginia. I submit this declaration in support of Defendants' Motion to Dismiss Count Three of the Indictment. I am competent to testify to the matters stated herein.

2. Attached hereto as Exhibit 1 is a true and correct copy of a May 2, 2002 FBI memorandum, as produced by the Government at US-00000862-70.

3. Attached hereto as Exhibit 2 is a true and correct copy of an August 3, 2018 FBI Electronic Communication, as produced by the Government at US-00000571-76.

4. Attached hereto as Exhibit 3 is a true and correct copy of a February 13, 2018 FBI Electronic Communication, as produced by the Government at US-00000001-3.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on October 7, 2019, in Washington, D.C.



Timothy H. McCarten (#77044)

555 Eleventh St., NW

Suite 1000

Washington, D.C. 20004

Tel: (202) 637-2200

Fax: (202) 637-2201

Timothy.McCarten@lw.com